

United States District Court  
Middle District of Florida  
Orlando Division

**STEVEN LAYNE WILLIAMS,**

**Plaintiff,**

**v.**

**No. 6:23-CV-419-RBD-LLL**

**KILOLO KIJAZAKI, Acting  
Commissioner of Social Security,**

**Defendant.**

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**Report and Recommendation<sup>1</sup>**

Before the Court is Defendant's Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant, doc. 26, that seeks to have this case remanded to the Commissioner for further proceedings; plaintiff does not object to the motion, *id.* at 1. Defendant's motion has been referred to me for the issuance of a report and recommendation regarding an appropriate resolution.

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<sup>1</sup> "Within 14 days after being served with a copy of [a report and recommendation on a dispositive issue], a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). "A party may respond to another party's objections within 14 days after being served with a copy." *Id.* A party's failure to serve and file specific objections to the proposed findings and recommendations alters the scope of review by the District Judge and the United States Court of Appeals for the Eleventh Circuit, including waiver of the right to challenge anything to which no specific objection was made. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1; Order (Doc. No. 3), No. 8:20-mc-100-SDM, entered October 29, 2020, at 6.

Defendant moves for remand of this case under sentence four of 42 U.S.C. § 405(g) with the following stipulation:

[o]n remand, the case will be remanded to an administrative law judge who will offer Plaintiff the opportunity for a new hearing take, any further action needed to complete the administrative record, and issue a new decision.

*Id.* This disposition is within the Court's authority. *See Shalala v. Schaefer*, 509 U.S. 292, 297 (1993), and I find remand of the case appropriate.

I respectfully **recommend**:


1) Defendant's Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant, doc. 26, be **granted**.

2) The **Clerk** of Court be directed to **enter judgment reversing and remanding** the case pursuant to sentence four of 42 U.S.C. § 405(g) with the following instructions:

On remand, the case will be remanded to an administrative law judge who will offer Plaintiff the opportunity for a new hearing take, any further action needed to complete the administrative record, and issue a new decision.

3) The **Clerk** be further directed to **close** the file.

**Entered** in Jacksonville, Florida on August 28, 2023.

  
LAURA LOTHMAN LAMBERT  
United States Magistrate Judge

c:

Honorable Roy B. Dalton, Jr., United States District Judge

Bradley K. Boyd, Esquire

John F. Rudy, III, Assistant United States Attorney

Nadine DeLuca Elder, Esquire